



**COUNTY OF SAN LUIS OBISPO
DEPARTMENT OF PLANNING AND BUILDING
STAFF REPORT**

Tentative Notice of Action

*Promoting the wise use of land
Helping build great communities*

MEETING DATE July 21, 2006 LOCAL EFFECTIVE DATE August 4, 2006 APPROX FINAL EFFECTIVE DATE August 25, 2006	CONTACT/PHONE Ryan Hostetter 788-2351	APPLICANT Sally Seago	FILE NO. DRC2005-00141
SUBJECT Request by Sally Seago for a Minor Use Permit/Coastal Development Permit to add an approximately 428 square foot single story guesthouse directly behind the existing single family residence. The proposed project will include the removal of seven pine trees and three oak trees. The project is located at 2000 Avon Ave. in the Community of Cambria, in the North Coast Planning Area.			
RECOMMENDED ACTION Approve Minor Use Permit/Coastal Development Permit DRC2005-00141 based on the findings listed in Exhibit A and the conditions listed in Exhibit B.			
ENVIRONMENTAL DETERMINATION A Class 3 Categorical Exemption was issued on June 23, 2006 (ED05-497).			
LAND USE CATEGORY Residential Single Family	COMBINING DESIGNATION Archaeologically Sensitive, Local Coastal Program, Terrestrial Habitat	ASSESSOR PARCEL NUMBER 023-073-013	SUPERVISOR DISTRICT(S) 2
PLANNING AREA STANDARDS: Setbacks, Height, Footprint and Gross Structural Area Limitations <i>Does the project meet applicable Planning Area Standards: Yes - see discussion</i>			
LAND USE ORDINANCE STANDARDS: Local Coastal Program, Terrestrial Habitat, Archaeologically Sensitive Area, and Guesthouse standards <i>Does the project conform to the Land Use Ordinance Standards: Yes - see discussion</i>			
FINAL ACTION This tentative decision will become the final action on the project, unless the tentative decision is changed as a result of information obtained at the administrative hearing or is appealed to the County Board of Supervisors pursuant Section 23.01.042 of the Coastal Zone Land Use Ordinance; effective on the 10th working day after the receipt of the final action by the California Coastal Commission. The tentative decision will be transferred to the Coastal Commission following the required 14-calendar day local appeal period after the administrative hearing. The applicant is encouraged to call the Central Coast District Office of the Coastal Commission in Santa Cruz at (831) 427-4863 to verify the date of final action. The County will not issue any construction permits prior to the end of the Coastal Commission process.			
ADDITIONAL INFORMATION MAY BE OBTAINED BY CONTACTING THE DEPARTMENT OF PLANNING & BUILDING AT: COUNTY GOVERNMENT CENTER ♦ SAN LUIS OBISPO ♦ CALIFORNIA 93408 ♦ (805) 781-5600 ♦ FAX: (805) 781-1242			

Planning Department Hearing
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EXISTING USES: Residential Single Family	
SURROUNDING LAND USE CATEGORIES AND USES: <i>North:</i> Residential Single Family/vacant <i>East:</i> Residential Single Family/vacant <i>South:</i> Residential Single Family/residential <i>West:</i> Residential Single Family/residential	
OTHER AGENCY / ADVISORY GROUP INVOLVEMENT: The project was referred to: The project was referred to: North Coast Advisory Council, Public Works, Cambria Community Services District, and the California Coastal Commission	
TOPOGRAPHY: Nearly level to slightly sloping (approx 10%)	VEGETATION: Grasses, forbs, pines, and Coast live oak trees
PROPOSED SERVICES: Water supply: CCSD Sewage Disposal: CCSD Fire Protection: Cambria Fire	ACCEPTANCE DATE: June 13, 2006

PLANNING AREA STANDARDS:

Lot Size: 4,125 square feet
 Double, Forested
 Oversized lot adjustment: 1.18

Slope: approx 10 percent
 Number of trees to be removed: 0 pine and 0 oaks
 Base: 900 sq ft footprint, 1,800 sq ft GSA

PROJECT REVIEW	ALLOWABLE	PROPOSED	STATUS
FOOTPRINT (SQUARE FEET)	900x1.18=1062	1272	OK with 210 TDC's
GSA (SQUARE FEET)	1800x1.18=2124	2072	OK
DECKS (SQUARE FEET)			
PERVIOUS	318.6	168	OK-existing deck, no new proposed.
IMPERVIOUS	106.2	0	OK
HEIGHT (FEET)			OK
SETBACKS (FEET)			
FRONT	10'	10'	OK
REAR	15'	15'	OK see condition no. 2
SIDE	5'	5'	OK
STREET SIDE	10'	N/A	OK

LAND USE ORDINANCE STANDARDS:

The project site is located within the California Coastal Zone as determined by the California Coastal Act of 1976 and is subject to the provisions of the Local Coastal Plan.

Archaeologically Sensitive Areas: The project site is within a mapped Archaeologically Sensitive Area. A Cultural Resource Inventory was completed by C A Singer and Associates (04/21/06) which showed no cultural resources on the property.

Guesthouse Standards: A guesthouse is a sleeping/home office area that does not have an indoor connection to the principal dwelling and does not contain cooking or laundry facilities. There cannot be more than two bedrooms and one bathroom, but there can be a wet bar with one sink and an under the counter refrigerator. The maximum floor area of a guesthouse shall be 40% of the habitable area of the principal dwelling up to a maximum of 600 square feet. The guesthouse must also be located no more than 50 feet from the primary dwelling. This project complies with these standards because the guesthouse is 424 square feet and is approximately 9 feet to the rear of the existing 1,328 square foot (living area) single family residence.

Terrestrial Habitat: There are some special development standards for projects located within the Terrestrial Habitat (TH) combining designation. Specifically those include revegetation with native plants where vegetation is removed. This project complies with the terrestrial development standards because the project is conditioned to replace all native Monterey Pine trees.

Sensitive Resource Area:

Following are the required findings for development located within a Sensitive Resource Area:

1. The development will not create significant adverse effects on the natural features of the site or vicinity that were the basis for the Sensitive Resource Area designation, and will preserve and protect such features through the site design.
2. Natural features and topography have been considered in the design and siting of all proposed physical improvements.
3. Any proposed clearing of topsoil, trees, or other features is the minimum necessary to achieve safe and convenient access and siting of proposed structures, and will not create significant adverse effects on the identified sensitive resource.
4. The soil and subsoil conditions are suitable for any proposed excavation; site preparation and drainage improvements have been designated to prevent soil erosion, and sedimentation of streams through undue surface runoff.

This project is located within a sensitive resource area because of the Cambria pine forest. The proposed guesthouse will not inhibit the continuance of the forest because the trees to be removed are located very close to the existing home, and within the fenced rear yard. These trees will all be replaced to off-set any removal of trees on this property. The proposed addition of the guesthouse is located very close to the existing residence to minimize impacts to the property and is located on a very flat surface so any grading will be for footings and will be very minimal.

COASTAL PLAN POLICIES: This project is in compliance with the Coastal Plan Policies, the most relevant policies are discussed below.

Public Works:

Policy 1: Availability of Service Capacity applies to the project. The applicant has submitted a confirmation letter of water and sewer availability which shows impact fees being paid for the proposed project.

Coastal Watersheds:

Policy 7: Siting of new development: The proposed project is consistent with this policy because the proposed addition will be located on an existing lot of record in the Residential Single Family category and there is no area of the site with a slope of less than 20 percent.

Policy 8: Timing of new construction: The proposed project is consistent with this policy because if grading is to occur or left unfinished between October 15 through April 15 the project is required to have an erosion and sedimentation control plan and all sedimentation and erosion control measures will be in place before the start of the rainy season.

Policy 10: Drainage Provisions: The proposed project is consistent with this policy because the project is required to have a drainage plan that shows the construction of the addition will not increase erosion or runoff.

Hazards:

Policy 1: New Development: The proposed project is consistent with this policy because it is located and designed to minimize risks to human life and property.

Policy 2: Erosion and Geologic Stability: The proposed project is consistent with this policy because it is designed to ensure structural stability while not creating or contributing to erosion of geological instability.

Environmentally Sensitive Habitats:

Policy 1: Land Uses Within or Adjacent to Environmentally Sensitive Habitats: The proposed project is consistent with this policy because it will not significantly disrupt the habitat and tree removal and site disturbance have been minimized.

Policy 2: Permit Requirement: The proposed project is consistent with this policy because there will be no significant impact on sensitive habitats and proposed development will be consistent with the biological continuance of the habitat.

Policy 3: Habitat Restoration: The proposed project is consistent with this policy because if removed, Monterey Pine trees will be replaced on a two-to-one basis and Coast Live Oak trees will be replaced on a four-to-one basis.

Policy 27: Protection of Terrestrial Habitats: The proposed project is consistent with this policy because the project proposes to replace sensitive species that are being removed.

Policy 28: Protection of Native Vegetation: The proposed project is consistent with this policy because tree removal and site disturbance have been minimized. If trees are removed, Monterey Pine trees will be replaced on a two-to-one basis and Coast Live Oak trees will be replaced on a four-to-one basis.

Policy 33: Protection of Vegetation: The proposed project is consistent with this policy because site disturbance have been minimized through project design.

Visual and Scenic Resources:

Policy 7: Preservation of Trees and Native Vegetation: The proposed project is consistent with this policy because disturbance has been minimized through project design.

Archaeology:

Policy 4: Preliminary Site Survey: The parcel is in an archeologically sensitive area. A Phase I archaeological survey was completed by C.A. Singer and Associates which found no significant resources on the property.

Does the project meet applicable Coastal Plan Policies: Yes, as conditioned

COMMUNITY ADVISORY GROUP COMMENTS: Recommended for approval with no comments at the February 15, 2006 NCAC meeting.

AGENCY REVIEW:

Public Works – Drainage plan required.

Cambria Community Services District –See confirmation letter in file.

Cambria Fire – Fire plan review in file dated January 18, 2006.

LEGAL LOT STATUS:

The property has been legalized through the voluntary lot merger process.

Staff report prepared by Ryan Hostetter and reviewed by Kami Griffin.

EXHIBIT A - FINDINGS

CEQA Exemption

- A. The project qualifies for a Class 3 Categorical Exemption pursuant to CEQA Guidelines Section 15303 because the project is a minor addition to a single-family residence in a residential zone.

Minor Use Permit

- B. The proposed project or use is consistent with the San Luis Obispo County General Plan because the use is an allowed use and as conditioned is consistent with all of the General Plan policies.
- C. As conditioned, the proposed project or use satisfies all applicable provisions of Title 23 of the County Code.
- D. The establishment and subsequent operation or conduct of the use will not, because of the circumstances and conditions applied in the particular case, be detrimental to the health, safety or welfare of the general public or persons residing or working in the neighborhood of the use, or be detrimental or injurious to property or improvements in the vicinity of the use because the project does not generate activity that presents a potential threat to the surrounding property and buildings. This project is subject to Ordinance and Building Code requirements designed to address health, safety and welfare concerns.
- E. The proposed project or use will not be inconsistent with the character of the immediate neighborhood or contrary to its orderly development because the project is similar to, and will not conflict with, the surrounding lands and uses.
- F. The proposed project or use will not generate a volume of traffic beyond the safe capacity of all roads providing access to the project, either existing or to be improved with the project because the project is located on a road constructed to a level able to handle any additional traffic associated with the project.

Coastal Access

- G. The proposed use is in conformity with the public access and recreation policies of Chapter 3 of the California Coastal Act, because the project is not adjacent to the coast and the project will not inhibit access to the coastal waters and recreation areas.

Terrestrial Habitat

- H. The project or use will not create significant adverse effects on the natural features of the site or vicinity that were the basis for the Sensitive Resource Area designation, and will preserve and protect such features through the site design, because tree removal has been minimized and if trees are removed or impacted they will be replaced.
- I. Natural features and topography have been considered in the design and siting of all proposed physical improvements, because the proposed structure has been designed to minimize tree removal and site disturbance.

- J. Any proposed clearing of topsoil, trees, or other features is the minimum necessary to achieve safe and convenient access and siting of proposed structures, and will not create significant adverse effects on the identified sensitive resource, because tree removal and site disturbance have been minimized and if pine trees are removed, they will be replaced on a two-to-one basis. Oak trees will be replaced on a four-to-one basis.
- K. The soil and subsoil conditions are suitable for any proposed excavation; site preparation and drainage improvements have been designed to prevent soil erosion and sedimentation of streams through undue surface runoff, because, as conditioned, the project or use meets drainage and erosion control standards specified by the County Public Works Department.
- L. There will be no significant negative impact to the identified sensitive habitat and the project or use will be required to replace removed oaks and pines on a four-to-one basis and two-to-one basis respectively.
- M. The project or use will not significantly disrupt the habitat, because it is a single-family residence with minimal site disturbance.

Sensitive Resource Area

- N. The development will not create significant adverse effects on the natural features of the site or vicinity that were the basis for the Sensitive Resource Area designation, and will preserve and protect such features through the site design, because the proposed guesthouse is designed around the sensitive species.
- O. Natural features and topography have been considered in the design and siting of all proposed physical improvements because the proposed guesthouse is designed around these natural features.
- P. The proposed clearing of topsoil, trees, is the minimum necessary to achieve safe and convenient access and siting of proposed structures, and will not create significant adverse effects on the identified sensitive resource.
- Q. The soil and subsoil conditions are suitable for any proposed excavation and site preparation and drainage improvements have been designed to prevent soil erosion, and sedimentation of streams through undue surface runoff.

Archeological Sensitive Area

- R. The site design and development incorporate adequate measures to ensure that archeological resources will be acceptably and adequately protected because the project is required to stop if any resources happen to be found during construction. A survey of the site was conducted by a qualified archaeologist which found no resources on the site.

Transfer of Development Credits

- S. Adequate instruments have been executed to assure that lot(s) to be retired will remain in permanent open space and that no development will occur because the applicant will

provide verification that the retired lot(s) have been transferred to the Land Conservancy of San Luis Obispo County.

- T. The "receiver" site can accommodate the proposed scale and intensity of development without the need for a variance (Section 23.01.045), exception to height limitations (Section 23.04.124b) or modification to parking standards (Section 23.04.162h), because, as conditioned, the project or use meets Coastal Zone Land Use Ordinance and Land Use Element requirements.
- U. The circumstances of the transfer are consistent with the purpose and intent of the applicable planning area programs and standards regarding transfer of development credits.

EXHIBIT B - CONDITIONS OF APPROVAL

Authorized Use

1. This approval authorizes the addition of an approximately 428 square foot single story guesthouse directly behind the existing single family residence. The proposed project will include the removal of seven pine trees and two oak trees, and the purchase of 210 TDC's.
2. All permits shall be consistent a **revised** Site Plan, and Elevations showing a minimum rear setback of 15'.

Conditions to be completed prior to issuance of a construction or grading permit

Tree Protection/Replacement

In an effort to protect individual oak and pine trees, the mixed forest habitat, and the species that depend upon that habitat, the following measures shall be implemented:

3. The applicant shall limit tree removal to no more than seven healthy pine trees having a eight inch diameter or larger at four feet from the ground and no more than two oak trees having a four inch diameter or larger at four feet from the ground. Construction plans shall clearly delineate all trees within 50 feet of the proposed project, and shall show which trees are to be removed or impacted, and which trees are to remain unharmed.
4. Prior to issuance of a construction permit, the applicant shall fence the proposed area of disturbance and clearly tag which trees are to be removed or impacted. The trees tagged in the field shall be consistent with the trees delineated on the construction plans. Tree removal, grading, utility trenching, compaction of soil, or placement of fill shall not occur beyond the fenced disturbance area. The fencing shall remain installed until final inspection.
5. The one Monterey pine trees and three Coast live oak trees removed as a result of the grading for the addition shall be replaced at a 2:1 ratio for the pine trees and at a 4:1 ratio for the oak trees. The two Monterey pine trees located within 10 feet of disturbance and not proposed for removal shall be replaced at a 1:1 ratio. A total of 16 Monterey pine trees and 8 Coast live oak trees shall be planted. Monterey pine replacement trees shall be one gallon saplings grown from the Cambrian stand; *Pinus radiata macrocarpa*. Replacement Coast live oak trees shall also be at least one gallon container sizes.

Replacement trees shall be planted on-site through the following process:

- A. Prior to issuance of a construction permit, the applicant agrees to secure a bond with the County to cover the costs of planting, monitoring, and maintaining the required replacement trees for the minimum three year period.
- B. Prior to final inspection, the replacement trees required in Condition #5 above shall be planted. These newly planted trees shall be maintained until successfully established. This shall include caging from animals (e.g., deer, rodents), periodic

weeding and adequate watering (e.g., drip-irrigation system). If possible, planting during the warmest, driest months (June through September) shall be avoided. In addition, standard planting procedures (e.g., planting tablets, initial deep watering) shall be used.

- C. Once the replacement trees have been planted, the applicant shall retain a qualified individual (e.g., landscape contractor, arborist, nurseryman, botanist) to prepare a letter stating the above planting and protection measures have been completed. This letter shall be submitted to the Department of Planning and Building.
 - D. To promote the success of the new trees, the applicant shall retain a qualified individual (e.g., arborist, landscape architect/ contractor, nurseryman) to monitor the new trees until successfully established, on an annual basis, for no less than three years. The first report shall be submitted to the County Environmental Coordinator one year after the initial planting and thereafter on an annual basis until the monitor, in consultation with the County, has determined that the newly planted vegetation is successfully established. The applicant and successors-in-interest agree to complete any necessary remedial measures identified in the report and approved by the Environmental Coordinator.
6. It is preferable that the replacement trees be planted on the subject property. However, if the revegetation cannot be implemented entirely on the subject property, the revegetation may occur on other property in the Cambria area owned or managed by the County of San Luis Obispo, Land Conservancy, Nature Conservancy, other government or appropriate non-profit agency using the following process:
- A. Prior to issuance of a construction permit, the replanting must occur with the review and approval of the Environmental Coordinator in an area chosen by the appropriate agency or organization (i.e. property owner or manager) and shall be verified by submittal of a letter from the appropriate agency or organization to the Environmental Coordinator. (The verification letter should indicate whether plantings occurred on and/or off site, or both). All replacement conditions and monitoring measures (e.g. number of trees, maintenance, etc.) shall apply.
7. Oak trees provide an essential component of wildlife habitat and visual benefits. The applicant recognizes this and agrees to minimize trimming of the remaining oaks. If trimming is necessary, the applicant agrees to either use a skilled arborist or apply accepted arborist's techniques when removing limbs. Unless a hazardous or unsafe situation exists, trimming shall be done only during the winter for deciduous species. Smaller trees (6 inches diameter and smaller) within the project area are considered to be of high importance, and when possible, shall be given similar consideration as larger trees.

Grading, Drainage, Sedimentation and Erosion Control

8. If grading is to occur between October 15 and April 15, a sedimentation and erosion control plan shall be submitted pursuant to Coastal Zone Land Use Ordinance Section 23.05.036.
9. The applicant shall submit a drainage plan for review and approval by the County Public Works Department.

Fire Safety

10. The applicant shall provide the county Department of Planning and Building with a fire safety plan approved by the Cambria Fire Department.

Cambria Community Services District

11. The applicant shall apply for a remodel of existing service and pay impact fees to the CCSD.

Landscape Plan

12. The applicant shall submit for Planning Director review and approval, a Landscape Plan that provides for the planting of all open areas of the site disturbed by project construction with native, drought and fire resistant species that are compatible with the habitat values of the surrounding forest. In addition, non-native, invasive, and water intensive (e.g. turf grass) landscaping shall be prohibited on the entire site.

Conditions applicable throughout project construction

Building Height

13. The maximum height of the project is 22 feet (as measured from average natural grade).

Sedimentation and Erosion Control

14. All runoff from impervious surfaces such as roofs, driveways, walks, patios, decks, shall be collected and detained on-site, or passed on through an effective erosion control device or drainage system approved by the County Engineer.
15. Permanent erosion control devices shall be installed prior to or concurrently with on-site grading activities.
16. Grading, filling or site disturbance of existing soil and vegetation shall be limited to the minimum areas necessary.
17. Stockpiles and other disturbed soils shall be protected from rain and erosion by plastic sheets or other covering.

18. All areas disturbed by grading activities shall be revegetated with temporary or permanent erosion control devices in place.

Archaeology

19. In the event archaeological resources are unearthed or discovered during any construction activities, the following standards apply:
 - A. Construction activities shall cease and the Environmental Coordinator and Planning Department shall be notified so that the extent and location of discovered materials may be recorded by a qualified archaeologist, and disposition of artifacts may be accomplished in accordance with state and federal law.
 - B. In the event archaeological resources are found to include human remains, or in any other case where human remains are discovered during construction, the County Coroner is to be notified in addition to the Planning Department and Environmental Coordinator so that proper disposition may be accomplished.

Cambria Community Services District

20. Existing water fixtures shall be retrofitted to current standards under District Ordinance 3-88 as amended.
21. The owners shall provide the District with a copy of county building permit issued for this project.

Conditions to be completed prior to occupancy or final building inspection /establishment of the use

Fire Safety

22. **Prior to occupancy or final inspection**, which ever occurs first, the applicant shall obtain final inspection and approval from Cambria Fire Department of all required fire/life safety measures.

Cambria Community Services District

23. Applicant shall submit for final plumbing inspection upon completion of the project.

Miscellaneous

24. **Prior to occupancy of any structure associated with this approval**, the applicant shall contact the Department of Planning and Building to have the site inspected for compliance with the conditions of this approval.
25. This permit is valid for a period of 24 months from its effective date unless time extensions are granted pursuant to Land Use Ordinance Section 23.02.050. This permit

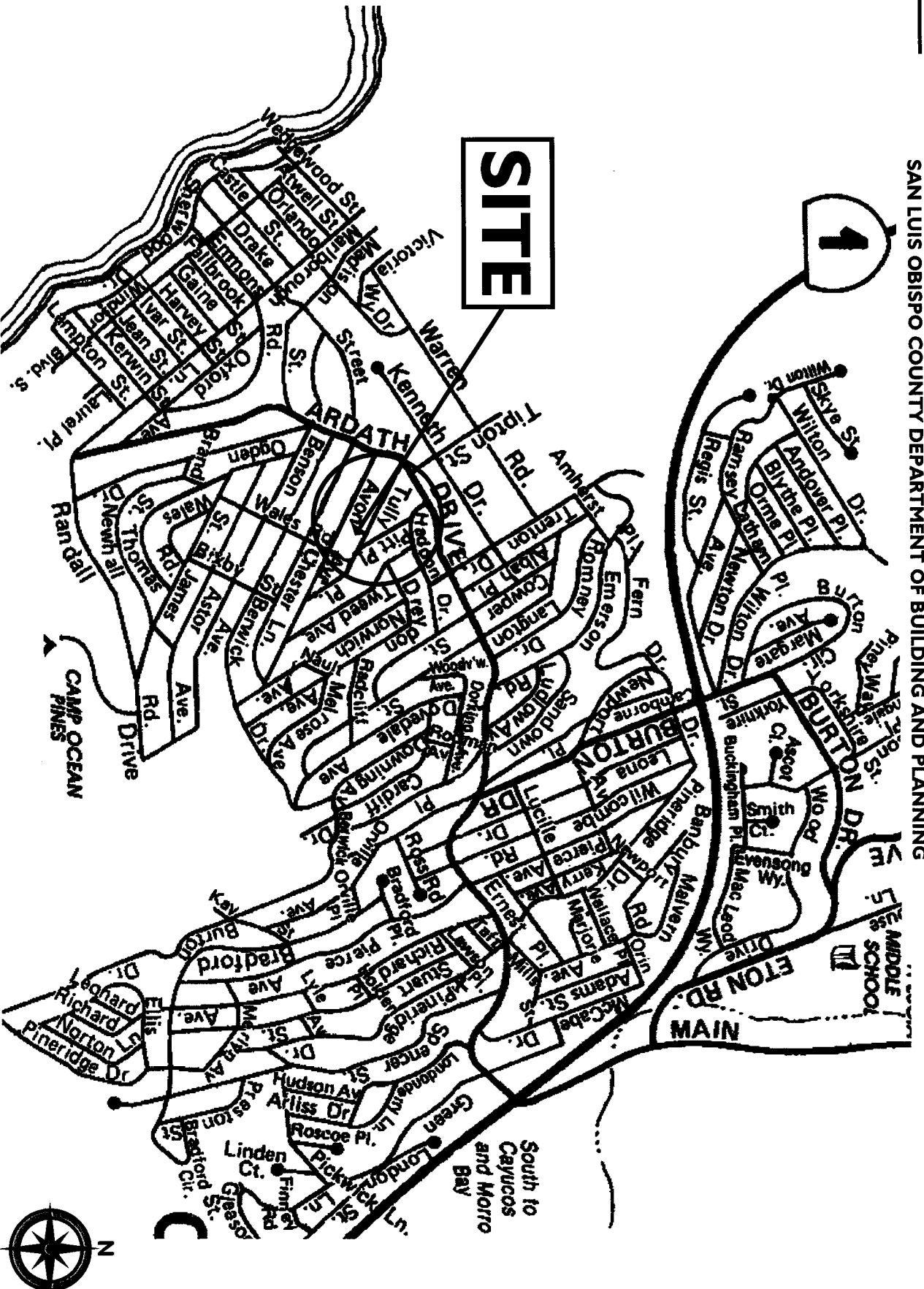
is generally considered to be vested once a building permit has been issued and substantial site work has been completed. Substantial site work is defined (Section 23.02.042) as site work progressed beyond grading and completion of structural foundations; and construction is occurring above grade ('sticks in the air').

26. All conditions of this approval shall be strictly adhered to, within the time frames specified, and in an on-going manner for the life of the project. Failure to comply with these conditions of approval may result in an immediate enforcement action by the Department of Planning and Building. If it is determined that violation(s) of these conditions of approval have occurred or are occurring, this approval may be revoked pursuant to Section 23.10.160 of the Coastal Zone Land Use Ordinance.

SAN LUIS OBISPO COUNTY DEPARTMENT OF BUILDING AND PLANNING

1

SITE



PROJECT

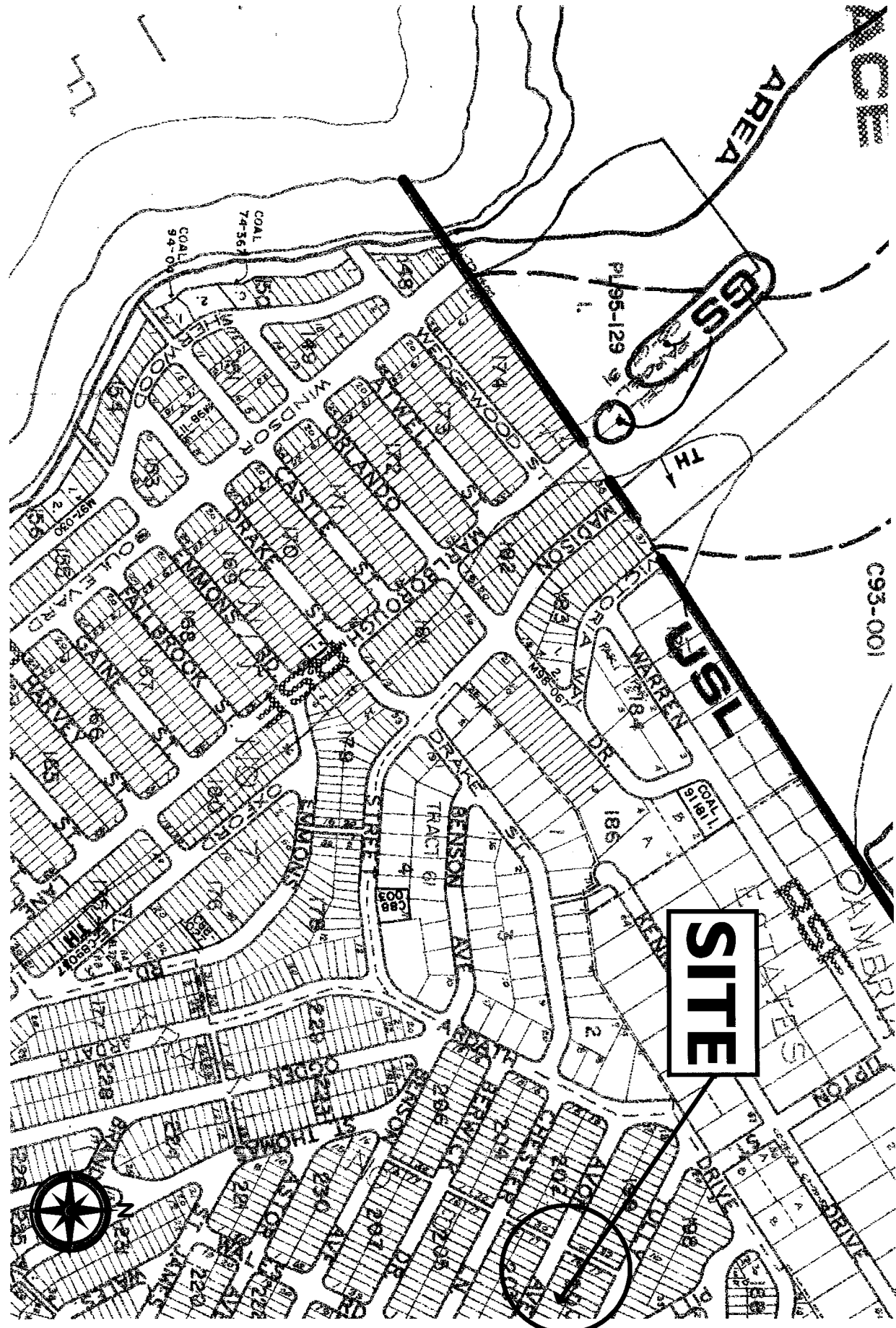
Minor Use Permit
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EXHIBIT

Cambria Vicinity

C93-001



PROJECT

Minor Use Permit
Seago DRC2005-00141



EXHIBIT

Land Use Category



PROJECT

Minor Use Permit
Seago DRC2005-00141



EXHIBIT

Aerial Photo

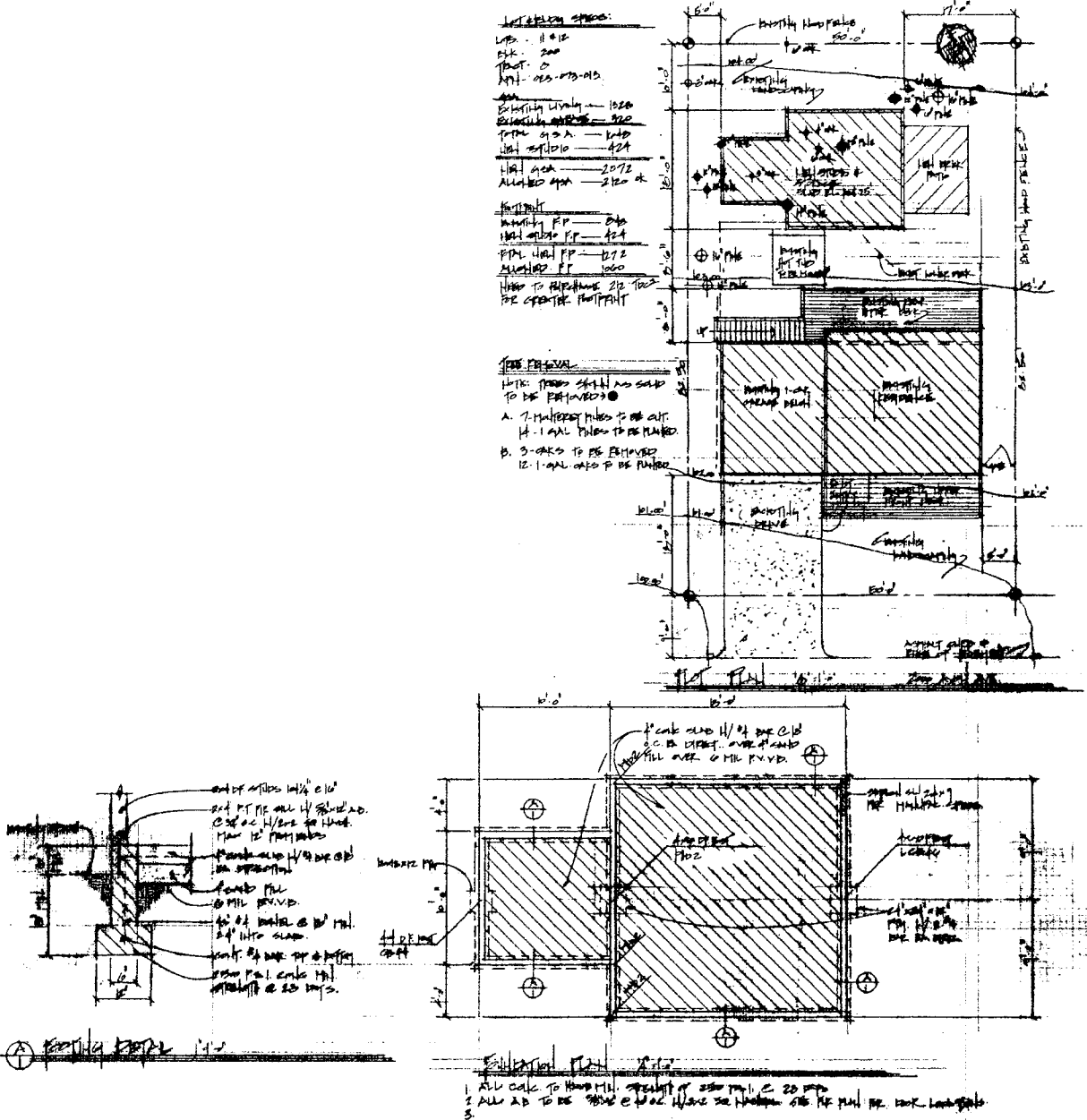
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EXHIBIT

Site Plan

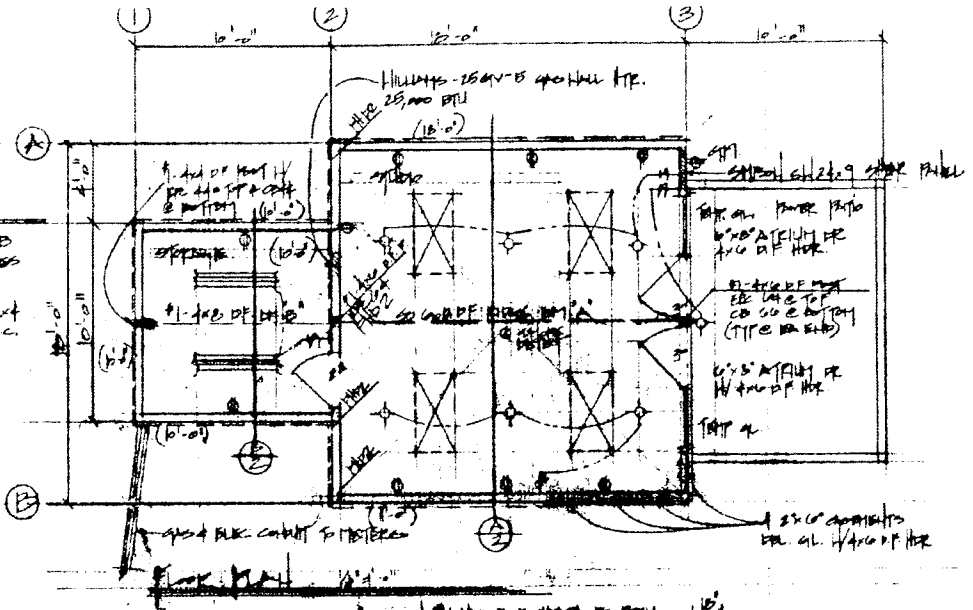


PROJECT

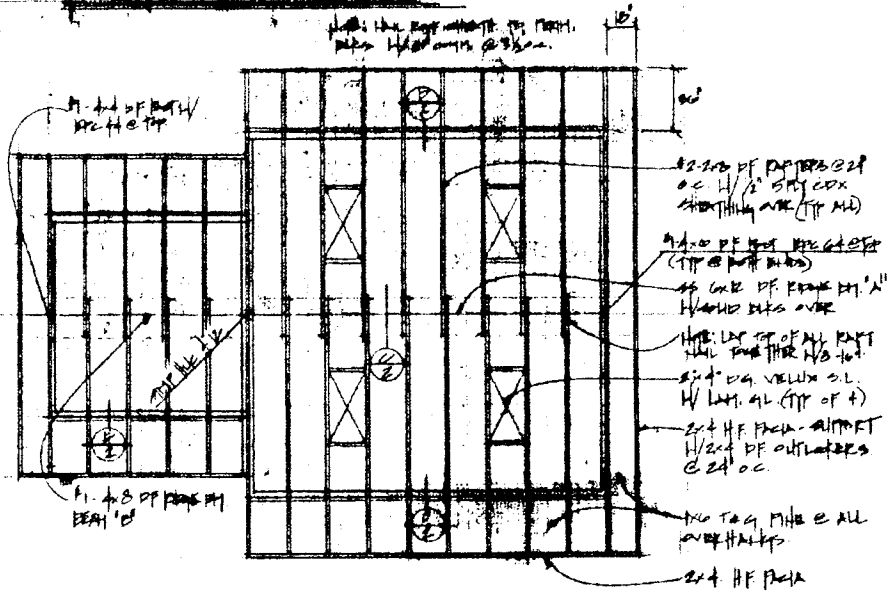
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WALL SECTION

1. ALL WALLS TO HAVE 3/8" O.D. 1/2" H/S AL CAPS @ 12" O.C. & 12" FIELD.
2. ALL WALL PLATES TO BE 2x4 TYP. W/ 1/2" END NAIL @ 4x6 C.



WALL



ROOF FRAMING PLAN 10'-0"

GENERAL NOTES

1. ALL WALL TO CORRESPOND TO HAWK EXISTING WALL, WHEN EXISTING.
2. CHIMNEY FIRE MASONRY PER - A. STUDY & APPROVE TO HAVE EXISTING SYSTEM. SYSTEM TO BE APPROVED BY CHIMNEY FIRE DEPT.
3. EXISTING CHIMNEY TO BE OF FIRE RESISTANT CONCRETE.
4. SEE EXISTING FOR LINT. APPROVED FIRE MASONRY.
5. ALL EXISTING CHIMNEY TO BE 4x11
6. ALL GLASS SUBJECT TO HAWK EXISTING GLASS. ALL GLASS TO HAVE LATCHES GL.

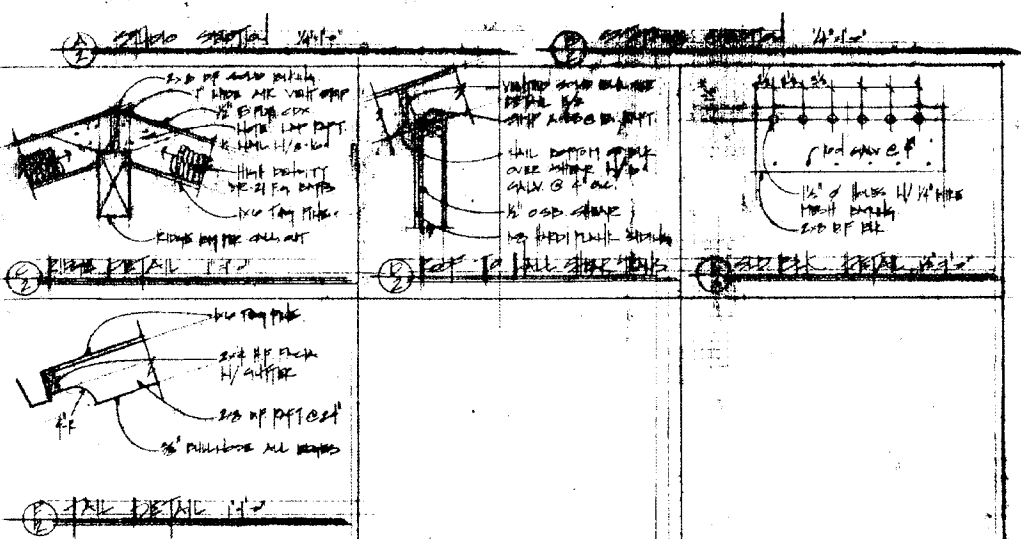
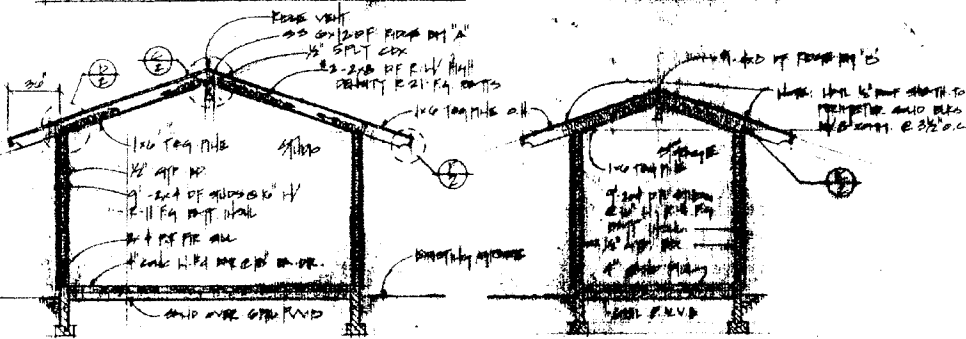
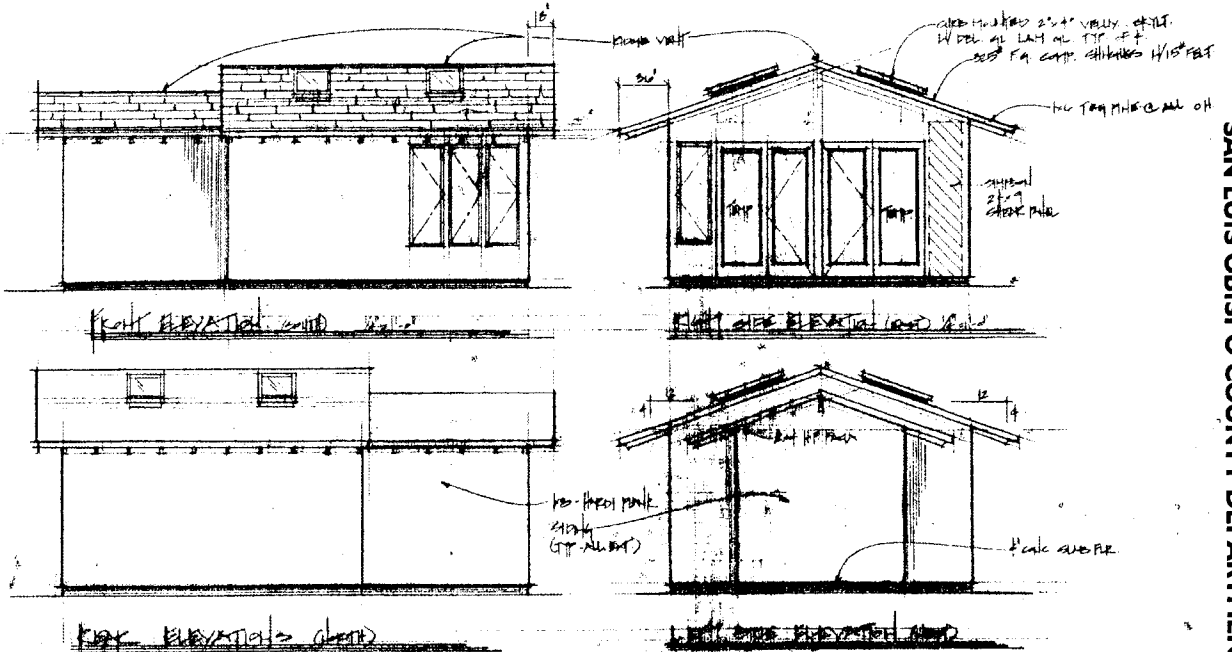


EXHIBIT

Floor & Roof Plan

PROJECT

Minor Use Permit
Seago DRC2005-00141



EXHIBIT

Elevations & Sections



